REMARKS

Claims 6, 7, 9, 13, 16, 19, 28, 31, and 33-36 remain in the application. Claim 33-36 are newly added but do not contain any new matter.

The present invention results from the discovery that by allowing individual devices to utilize different predetermined standard times, users could more accurately record and/or view video transmissions.

The Office Action rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Akamatsu et al.* (U.S. Pub. No. 2002/004764, hereinafter *"Akamatsu"*) in view of *Kanda* (U.S. 6,137,943, hereinafter *"Kanda"*).

The present invention seeks to manage the individual times clocked on multiple apparatuses. (Pg. 2, lns. 21-23). It accomplishes this by utilizing a vicarious time managing unit 212 which manages the vicarious time management table as shown in Fig. 16. More specifically the vicarious time managing unit 212 acquires current times from specific sources indicated by the source information shown in the vicarious time management table. It manages the times in place of the target apparatuses by correlating the times with sources by corresponding individual marks. (Pg. 65, ln. 1 – Pg. 66, ln. 3; Figs. 15-16). For example, in Figure 16, the vicarious time managing unit 212 can acquire time from "clock.osaka-u.ac.jp," "http://www.time.ne.jp," Channel "CS5CH," or function managing unit which has a module ID "02:01."

In operation, in step S61 as shown in Figure 18, user interface unit 28 asks the user to decide whether the user would like to select a source of the time the user will refer to during the presetting process or to enter the contents without selecting a source of the time. If the user does not want to select a source of time, the control jumps to step S64. However, if the user would like to select a source of time, the control jumps to step S62. In step S62, the user interface unit

28 presents a screen for selecting a source of time to the user, presenting the sources of times contained in the time source information stored in the vicarious time management table storage unit 211 and shown in Figure 16.

In Step S63, the user interface unit 28 receives the source of the time such as a source corresponding to the mark "B" shown in vicarious time management table shown in Figure 16. In Step S64, the vicarious time managing unit 212 prepares presetting information based on the received information and transmits the presetting information to target apparatus that execute the specified events, where the presetting information contains an event start time, an event stop time, a start event name being a name of an event that should be executed at the start time, a stop event name being a name of an event that should be stopped at the stop time, a module ID of the vicarious time managing unit 212, and a mark corresponding to a standard time. If the user enters the input data for the recording presetting without selecting a source time in step S61, the time managing unit 20 is automatically selected. Finally, in Step S65, the individual presetting functioning units 34 and 44 record the presetting information received form the vicarious time managing unit 212 into the individual timer presetting tables. (Pg. 69 ln. 5 – Pg. 70, ln. 16, Figs. 15-16).

Thus, the user can record different programs with different apparatuses based on the standard times of the individual apparatuses as opposed to just one single standard time. (Pg. 62, lns. 24-27).

Akamatsu is a reference that aims to provide a technique such that a plurality of devices can make and manage reservations by a timer in cooperation with each other. (¶ 0013). It uses a first device which acquires the accurate time from an external source through a master time acquisition means. This allows the first device to always hold the correct time. The first device

then can check to see if a second device has a correct time or not. If the second device has the correct time, there are no modifications. However, if the second device has a problem, the first device notifies the user and instructs the user to correct the time. (¶¶ 0028-0030; 0237-0261, Figs. 48A - 53).

Akamatsu does not teach or suggest "a presetting information receiving means for receiving from outside presetting information which is based on an input from a user and contains (a) event start time information that indicates an event start time at which one or more events should be started by each of the target apparatuses, (b) event type information indicating an event type for each of the one or more events, (c) two or more apparatus identifiers for two or more target apparatuses among the target apparatuses on the network that should execute the one or more events, and (d) a piece of management information that identifies a timer module." In *Akamatsu*, the first device acquires the accurate time from an external source through the master acquisition means based on the contents of the master information stored in the master information storage means. *Akamatsu* does not teach that the device can acquire the accurate time through a user input. It only indicates in Figures 48A and 48B that the accurate time is collected from a satellite broadcast program. (¶ 0249). There is no indication that the user has the option of changing that, or that the satellite broadcast program is selected from user input.

Furthermore, even if user input is allowed, and there is no indication that it is, the setting of the master time source is not input when the user inputs a presetting information. The master source may be input ahead of time, but for each individual preset information, there is no indication of an option to select the master time source.

In contrast, in the present invention, when the user inputs a presetting information, the user has the option of selecting a time source. This allows the user to customize the time source

in the presetting information for each show or event which is beneficial when the source for each show or event is varied. Thus, the user can record for example a TV show from a web broadcast based on the time from a website and record a TV show based on the time from a cable channel. This is beneficial because if the web broadcast and the TV show had start/end times based on different time sources, using only one time source to start and stop recording the web broadcast and TV shows would result in the recordings either starting too early or too late for one or both of them. Thus by using the time for the web broadcast based on the website and the TV show based on the cable channel, the device can accurately start and stop recording the shows based on the specific start/stop time associated with the web broadcast and the TV show.

Also, *Akamatsu* does not receive the management information. *Akamatsu* only designed a singular master time source. In the present invention the management information contains the mark corresponding to the time source for the standard time. (Pg. 70 ln. 7-8). As shown in the table displayed on Figure 16, the mark is correlated with a time source. For example, in Figure 16, the time sources can include "clock.osaka-u.ac.jp," "http://www.time.ne.jp," Channel "CS5CH," or the function managing unit which has a module ID "02:01."

Akamatsu also does not disclose "a vicarious time managing means for acquiring a standard time from the timer module identified by the received management information and managing times vicariously in correspondence with pieces of management information." In *Akamatsu* there is only one time source and there is no identification for it when the user inputs the presetting information. *Akamatsu* also does not manage the times vicariously in correspondence with the management information because *Akamatsu* does not utilize management information.

Akamatsu fails to disclose "a standard time acquisition request receiving means for receiving standard time acquisition requests, which are based on the transmitted event start time information and the event type information, from the two or more target apparatuses to which the event start time information and the event type information were transmitted by the presetting information transmitting means." In *Akamatsu*, when the user inputs a timer reservation designation into the first device, the first device checks the second device to ensure that the second device has the correct time, e.g. it receives the time from the second device but does not receive a time acquisition request from the second device. If the second device does not have the correct time, the first device will correct the clock of the second device. (¶¶ 0255 – 0262). There is no indication that the second device continuously checks with the first device to see if it is time to start/stop recording or that the first device accepts standard time acquisition requests.

However, in the present invention, the target apparatus checks with the time managing apparatus to see if it is time to start or stop recording the show. For example, the individual presetting functioning unit 34 of tuner (03) transmits the mark "B" and the module ID "03:02" of the individual presetting functioning unit 34 itself to the vicarious time managing unit 212 having the module ID "02:12" specified in the individual timer presetting table 203 to obtain the current time from the vicarious time managing unit 212. The vicarious time managing unit 212 then transmits the time corresponding to the mark "B" to the individual presetting function unit 34. The individual presetting function unit 34 then judges whether the time returned from the vicarious time managing unit 212 matches the event start time. If not, the process is repeated until the time returned matches the event start time. (Pg. 70, ln. 19 – Pg. 71, ln. 16; Figs. 15, 19).

Akamatsu also fails to teach or suggest "a standard time transmitting means for transmitting, to each of the two or more target apparatuses, a standard time managed by the

vicarious time managing means to cause the target apparatus to judge whether the transmitted standard time matches the event start time information transmitted by the presetting information transmitting means, and if the target apparatus judges that the standard time matches the event start time information, cause the target apparatus to execute an event indicated by the event type information transmitted by the presetting information transmitting means." In *Akamatsu*, the first device only checks to ensure that the time in the second device is correct in the sense that it is accurate e.g. that if the time now is 9:25 p.m., the second device also reads 9:25 p.m. The first device does not send time to the second device such that the second device can check to see if it matches the start time of the show e.g. if the time is 9:25 p.m. and the show starts at 9:30 p.m., the second device will refrain from recording the show whereas if the first device sends the time as 9:30 p.m. and the show starts at 9:30 p.m. the second device will start recording.

Kanda is directed towards a device that has a higher reliability for recording shows. It uses a hard disc device and a VTR to record a video feed simultaneously. The hard disc device is able to be randomly accessed and capable of simultaneously performing recording and reproduction. The VTR has a higher reliability, but is unable to be randomly accessed. When the hard disc device is functioning normally, only the hard disc device is used to reproduce the recorded video feed so that it can be randomly accessed. However, when the hard disc device is not operating normally, only the VTR is used for the reproduction. (Col. 2, ln. 19 – Col. 3, ln. 31).

Kanda does not teach or suggest "a presetting information receiving means for receiving from outside presetting information which is based on an input from a user and contains . . . (d) a piece of management information that identifies a timer module." There is no indication that

Kanda receives "a presetting information based on an input from the user containing "a piece of management information that identifies a timer module."

Kanda also does not disclose "a vicarious time managing means for acquiring a standard time from the timer module identified by the received management information and managing times vicariously in correspondence with pieces of management information" *Kanda* does not indicate that it uses a vicarious time managing means.

Kanda also fails to recite "a standard time acquisition request receiving means" or "a standard time transmitting means." There is no indication in *Kanda* that it uses either the standard time acquisition request receiving means or the standard time transmitting means.

There is also no motivation to combine the two references. A person having ordinary skill in the art seeking to provide a technique such that a plurality of devices can make and manage reservations by a timer in cooperation with each other in *Akamatsu* would not look to a reference directed towards a device that has a higher reliability for recording shows by utilizing a hard disc drive and a VTR together in *Kanda*.

Furthermore, even if the references were combined, however improperly, the hypothetical combination would be defective of the present invention. It would not have (1) "a presetting information receiving means for receiving from outside presetting information which is based on an input from a user and contains . . . (d) a piece of management information that identifies a timer module"; (2) "a vicarious time managing means for acquiring a standard time from the timer module identified by the received management information and managing times vicariously in correspondence with pieces of management information"; (3) "a standard time acquisition request receiving means for receiving standard time acquisition requests, which are based on the transmitted event start time information and the event type information, from the

two or more target apparatuses to which the event start time information and the event type information were transmitted by the presetting information transmitting means"; or (4) "a standard time transmitting means for transmitting, to each of the two or more target apparatuses, a standard time managed by the vicarious time managing means to cause the target apparatus to judge whether the transmitted standard time matches the event start time information transmitted by the presetting information transmitting means, and if the target apparatus judges that the standard time matches the event start time information, cause the target apparatus to execute an event indicated by the event type information transmitted by the presetting information transmitting means." Thus, the present invention has novelty and inventiveness over *Akamatsu* in view of *Kanda*.

Claim 13 is directed towards the target apparatus which works in conjunction with the time managing apparatus.

With respect to claim 13, *Akamatsu* does not teach or suggest a "a presetting information receiving means for receiving . . . (b) management information." In *Akamatsu*, the second device only receives the correct time from the first device. It does not receive a piece of management information.

In contrast, in the present invention, the target apparatus such as the tuner receives a piece of management information. For example, the individual presetting functioning units 34 and 44 record the presetting information received from the vicarious time managing unit 212 into the individual timer tables. The presetting information includes "a mark corresponding to a standard time." (Pg. 70 lns. 7-16). As shown in the table displayed on Figure 16, the mark is correlated with a time source. For example, in Figure 16, the time sources can include

"clock.osaka-u.ac.jp," "http://www.time.ne.jp," Channel "CS5CH," or the function managing unit which has a module ID "02:01."

Akamatsu also fails to disclose "a time acquisition request transmitting means for transmitting to the time managing apparatus, a time acquisition request with the received management information attached thereto." In *Akamatsu*, the second time does not request time from the first device. Instead, the first device requests time from the second device and checks to make sure it is correct. If it is incorrect, the first device changes the time in the second device.

However, in the present invention, the target apparatus checks with the time managing apparatus to see if it is time to start or stop recording the show. For example, the individual presetting functioning unit 34 of tuner (03) transmits the mark "B" and the module ID "03:02" of the individual presetting functioning unit 34 itself to the vicarious time managing unit 212 having the module ID "02:12" specified in the individual timer presetting table 203 to obtain the current time from the vicarious time managing unit 212. The vicarious time managing unit 212 then transmits the time corresponding to the mark "B" to the individual presetting function unit 34. The individual presetting function unit 34 then judges whether the time returned from the vicarious time managing unit 212 matches the event start time. If not, the process is repeated until the time returned matches the event start time. (Pg. 70, ln. 19 – Pg. 71, ln. 16; Figs. 15, 19).

Kanda also does not disclose "a presetting information receiving means for receiving . . . (b) management information." There is no indication in *Kanda* that it receives any management information.

Kanda also fails to recite "a time acquisition request transmitting means for transmitting to the time managing apparatus, a time acquisition request with the received management

information attached thereto." *Kanda* does not disclose transmitting a time request with the management information attached to it.

There is also no motivation to combine the two references. A person having ordinary skill in the art seeking to provide a technique such that a plurality of devices can make and manage reservations by a timer in cooperation with each other in *Akamatsu* would not look to a reference directed towards a device that has a higher reliability for recording shows by utilizing a hard disc drive and a VTR together in *Kanda*.

Furthermore, even if the references were combined, however improperly, the hypothetical combination would be defective of the present invention. It would not have (1) "a presetting information receiving means for receiving . . . (b) management information."; or (2) "a time acquisition request transmitting means for transmitting to the time managing apparatus, a time acquisition request with the received management information attached thereto." Thus, the present invention has novelty and inventiveness over *Akamatsu* in view of *Kanda*.

With respect to claim 9, *Akamatsu* does not teach or suggest "a management information storage means for storing the piece of management information received by the presetting information receiving means, by correlating the piece of management information with at least one of a piece of event type information and an apparatus identifier." *Akamatsu* only discloses correlating the reservation time 422 with an ID 323 unique to the input device 100a. It does not utilize the management information and thus does not correlate it with the event information or the apparatus identifier.

In contrast, in the present invention, as shown in Figure 17A and 17B, the management information (Mark), event information (e.g. Start Time, Stop Time, Start Event, Stop Event), and apparatus information (Module ID) are correlated together.

Kanda also does not disclose "a management information storage means for storing the piece of management information received by the presetting information receiving means, by correlating the piece of management information with at least one of a piece of event type information and an apparatus identifier." There is no indication that Kanda uses a management information storage means. Thus, claim 9 has novelty and inventiveness over *Akamatsu* in view of *Kanda*.

For claim 35, *Akamatsu* does not teach or suggest "a vicarious time management storage unit for storing the piece of management information correlated with a source information indicating a location to obtain a standard time." *Akamatsu* only discloses correlating the reservation time 422 with an ID 323 unique to the input device 100a. It does not utilize the management information and thus does not correlate it with a source information indicating the location to obtain the standard time.

In contrast, as shown in Figure 16, the management information, or mark is correlated with a source information which indicates the location to obtain a standard time. (Pg. 65, lns. 16 – 24; Fig. 16).

Kanda also does not teach or suggest "a vicarious time management storage means for storing management information correlated with a source information indicating a location to obtain a standard time." There is no indication that *Kanda* utilizes a vicarious time management storage means. Thus, claim 35 has novelty and inventiveness over *Akamatsu* in view of *Kanda*.

All arguments for patentability with respect to claim 6 are repeated and incorporated herein for claim 16 and 28.

With respect to claim 19 and 31, all arguments for patentability for claim 13 are repeated and incorporated herein.
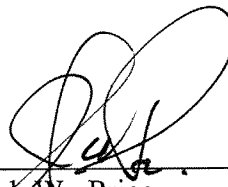
With respect to claim 36, all arguments for patentability for claims 6 and 13 are repeated and incorporated herein.

Claims 7, 9, and 33-35 further depend from and limit claim 6 and are patentable for at least the reasons given for claim 6.

Accordingly, it is believed that the case is now in condition for allowance. If the Examiner believes that a further telephone conference will help the prosecution of this case, it is respectfully requested that he contact the undersigned attorney at the listed phone number.

Very truly yours,

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